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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2011-828*

13 **MARIA FLORES REYES**  
5346 Valley Wells Way  
Las Vegas, NV 89113

**ACCUSATION**

14 **Registered Nurse License No. 458345**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs.

22 2. On or about August 31, 1990, the Board of Registered Nursing issued Registered  
23 Nurse License Number 458345 to Maria Flores Reyes (Respondent). The Registered Nurse  
24 License was in full force and effect at all times relevant to the charges brought in this Accusation  
25 and will expire on August 31, 2012, unless renewed.

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1 COST RECOVERY

2 8. Section 125.3 of the Code provides, in pertinent part, that the  
3 Board/Registrar/Director may request the administrative law judge to direct a licentiate found to  
4 have committed a violation or violations of the licensing act to pay a sum not to exceed the  
5 reasonable costs of the investigation and enforcement of the case.

6 FIRST CAUSE FOR DISCIPLINARY ACTION

7 (Disciplinary Action by Another State Health Care Professional Licensing Board)  
8 (Bus. & Prof. Code §2761(a)(4))

9 9. Respondent has subjected her Registered Nurse License to disciplinary action for  
10 unprofessional conduct under Code section 2761, subdivision (a)(4). Specifically, Respondent's  
11 Licensed Professional Nurse Nevada License No. RN30145 was publicly reprimanded by the  
12 Nevada State Board of Nursing. As a condition of licensure and within the first twelve months  
13 (12) months of the Agreement, Respondent was required to take, and successfully complete, the  
14 following courses in critical thinking in nursing for a minimum of 30 contact hours, professional  
15 boundaries; and a Nevada Nurse Practice Act web based course.

16 10. Respondent acknowledged to both inappropriate assignment/delegation and failing to  
17 supervise, and was publicly reprimanded for violating Nevada Revised Statutes 632.320 (7)  
18 (unprofessional conduct) and Nevada Administrative Code sections 632.890 (6) (inappropriate  
19 assignment/delegation), and 632.890 (7) (failing to supervise), by engaging in the following  
20 conduct:

21 (a) On or about June 3, 2006, as requested by a physician, while working as a Registered  
22 Nurse and Charge Nurse at Summerlin Hospital, in the pediatric unit, instead of the ICU,  
23 Respondent assigned a nurse to assist the physician with a procedural sedation (for a radiographic  
24 procedure). This procedure took place on the pediatric floor, not in the ICU. The assigned nurse,  
25 although qualified, expressed discomfort with Respondent's request. Respondent did not inform  
26 the ICU Charge Nurse of the physician's decision to initiate the sedation on the pediatric floor  
27 prior to transporting the patient to Radiology. Respondent gave a controlled medication to a  
28 Certified Nursing Assistant (CNA) and instructed her to immediately transport the controlled  
medication to the physician who requested it. Respondent was informed by the CNA that the

1 controlled medication had been delivered to the physician within two minutes of it being removed  
2 from the PYXIS<sup>1</sup>. The physician was present at the patient's bedside and directed the care at all  
3 times through the patient's recovery.

4 SECOND CAUSE FOR DISCIPLINARY ACTION

(General Unprofessional Conduct)  
(Bus. & Prof. Code §2761(a))

6 11. Complainant realleges the allegations in Paragraphs 9 and 10 above and incorporates  
7 them by reference as though fully set forth.

8 12. The conduct as alleged in Paragraphs 9 and 10 above constitutes general  
9 unprofessional conduct, and provides grounds for disciplinary action, under the non-inclusive  
10 provisions of Code section 2761, subdivision (a).

11 PRAYER

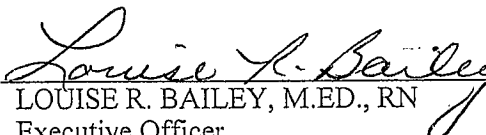
12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
13 and that following the hearing, the Board of Registered Nursing issue a decision:

14 1. Revoking or suspending Registered Nurse Number 458345, issued to Maria Flores  
15 Reyes;

16 2. Ordering Maria Flores Reyes to pay the Board of Registered Nursing the reasonable  
17 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
18 Code section 125.3; and

19 3. Taking such other and further action as deemed necessary and proper.

21 DATED: April 8, 2011

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

26 SF2010900340  
CR: 03/30/11

27 <sup>1</sup> PYXIS is a leading automated dispensing system, which supports decentralized  
28 medication management.